
TITLE 405 OFFICE OF THE SECRETARY OF FAMILY AND SOCIAL SERVICES

**Administrative Rules Oversight Committee Notice
One Year Requirement ([IC 4-22-2-25](#))
LSA Document #06-602**

Re: LSA Document #06-602

The Notice of Intent concerning LSA Document #06-602 was filed December 20, 2006, at [20061220-IR-405060602NIA](#).

On behalf of the Family and Social Services Administration, Division of Disability and Rehabilitative Services, I am submitting this notice to the Administrative Rules Oversight Committee in compliance with [IC 4-22-2-25](#), because the Division has determined there is a possibility that the promulgation of the captioned rule may not be completed within one year after publication of the notice of intent to adopt a rule. The Division published its Notice of Intent to Adopt a Rule for the captioned document on December 20, 2006 ([20061220-IR-405060602NIA](#).) The Division has already received substantial input on the changes to and content of [405 IAC 5-13-7.1-7.2](#) [sic], [405 IAC 5-13-10](#), and [405 IAC 5-13-7](#), and has worked to give an opportunity to representatives of affected entities for contributions and guidance.

The rule has currently been adopted by the Division. Once the rule is adopted by the Division, it has to be approved by the Family and Social Services Committee (see [IC 12-8-3](#)), a committee that only meets once a month. A monthly meeting could occur without a quorum and therefore without any action taken on an adopted rule. This would mean delayed approval until the next monthly meeting of the committee and presence of a quorum.

Following approval by the FSSA committee and the public hearing required, the rule must be submitted to the Attorney General's office. Pursuant to [IC 4-22-2-32](#), the Attorney General has forty-five days to complete his review of a rule. Whether a quorum is present at a monthly meeting of the FSSA Committee and the Attorney General's time frame for rule review are outside of the agency's control. For these reasons, it is possible that the rule will not be approved by the governor within one year of the date of publication of the Notice of Intent. The agency expects that the rule can be approved by the Governor by April 30, 2008.

This notice setting forth the expected date of approval of LSA Document #06-602 by April 30, 2008, is being submitted in a timely manner. August 27, 2007, is the two hundred fiftieth day after publication of the Notice of Intent to Adopt a Rule.

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